

Remarks

New claims 36-39 were added. Claims 1 to 39 are pending. Support for new claims 36-39 is found throughout the specification and in the Examples.

Objections to the Claims

Claims 7, 15, 23, and 30 were objected to as being dependent upon a rejected base claim, but would be allowable if re-written in independent form including all of the limitations of the base claim and any intervening claims.

§ 102 Rejections

Claims 1, 2, 4-6, 8-14, 16, 17, 19-22, 24-29, and 31-35 were rejected under 35 USC § 102(e) as being anticipated by Doba (WO 00/79582 A1). The international filing date of Doba is June 16, 2000. The mailing date of the rejection was October 23, 2002. The Intellectual Property and High Technology Technical Amendments Act of 2002 (H.R. 2215) (Pub. L. 107-273 (2002)) was signed on November 4, 2002. This Act modified the 102(e) provisions of the American Inventors Protection Act of 1999 (AIPA) (Pub. L. 106-113, 113 Stat. 1501 (1999)).

The Technical Amendments Act provides that a “U.S. or WIPO publication of an international application filed prior to November 29, 2000 will have no prior art effect under § 102(e). Such publications do, however, have prior art effect under § 102(a) or (b) as of their publication dates.”

In conclusion, the Intellectual Property and High Technology Technical Amendments Act of 2002 provides that Doba is no longer prior art to the instant application as of its international filing date. Accordingly, Applicants respectfully request that the above rejection of the claims be withdrawn.

§ 103 Rejections

Claim 3 was rejected under 35 USC § 103(a) as being unpatentable over Doba as applied to claim 1 above.

Claim 18 was rejected under 35 USC § 103(a) as being unpatentable over Doba (as applied to claim 1 above) in view of Pocius et al. (US 4,521,490).

Doba has been discussed above and is no longer prior art under 35 USC § 102(e)/103(a). Accordingly, the above rejection should be withdrawn.

Additional Remarks

In order to possibly aid in the prosecution of this application, Applicants wish to submit further remarks regarding Doba, to the extent Doba may be prior art under 35 USC 102 §(a) as of its publication date of December 28, 2000. Doba cannot be prior art under 35 USC 102 §(b) as it published within one year of the filing date of the present application, March 7, 2001. With this Response, Applicants have submitted the Declaration of Alphonsus V. Pocius and Wendy L. Thompson, which provides evidence that the claimed articles, adhesive compositions, adhesives, and methods were reduced to practice prior to December 28, 2000, the publication date of Doba. Applicants submit that the attached Declaration shows that the claimed articles, adhesive compositions, adhesives, and methods were reduced to practice prior to the effective date of the Doba reference. Accordingly, Applicants submit that Doba should not be considered to be a prior reference to the presently claimed invention.

In view of the above amendments and remarks, Applicants respectfully request reconsideration of the claims and submit that the claims are in condition for allowance and request formal notice thereof. Examiner is invited to telephone the undersigned at the number below if Examiner believes that such a call would facilitate prosecution and allowance of the application.

Respectfully submitted,

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Date

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